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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 TERRI BROOKS-JOSEPH,

9 Plaintiff,

10 v.

11 CITY OF SEATTLE, *et al.*,

12 Defendants.
13

Case No. C22-1078RSL

ORDER DISMISSING
PLAINTIFF'S MOTION TO
FILE OVERLENGTH BRIEF
AS MOOT

14 This matter comes before the Court on plaintiff's "Motion and Order to File an Over-
15 Length Brief in Response to Defendant's Motion for Summary Judgment" (Dkt. # 46). Because
16 plaintiff's motion rests on a misreading of the Local Rules, the Court dismisses plaintiff's
17 motion as moot.

18 Plaintiff seeks the Court's permission to file an overlength response to defendant's
19 motion for summary judgment, arguing that she should be entitled to a longer response because
20 defendant's motion for summary judgment was also overlength. *See* Dkt. # 46.¹ However,
21 neither defendants' motion nor plaintiff's response is, in fact, overlength. Pursuant to this
22 Court's local rules, "[m]otions for summary judgment . . . **and briefs in opposition** shall not
23 exceed 8,400 words or, if written by hand or with a typewriter, twenty-four pages. Reply briefs
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25 ¹ The Court notes that pursuant to the Local Rules, motions seeking approval to file an over-
26 length brief "shall be filed as soon as possible but no later than three days before the underlying motion
27 or brief is due." LCR 7(f)(1). Here, plaintiff's motion to file an overlength brief was filed three days
28 *after* the underlying motion was filed with the Court. Plaintiff's counsel is reminded that motions
requesting the Court's permission to file an overlength brief must be submitted *before* the underlying
motion is filed.

1 shall not exceed 4,200 words or, if written by hand or with a typewriter, twelve pages.” LCR
2 7(e)(3) (emphasis added). Here, defense counsel certified that the motion for summary judgment
3 contains 8,170 words, in compliance with the Local Rules. *See* Dkt. # 18 at 27. While plaintiff’s
4 opposition fails to include the word count certification required by the Local Rules, *see* LCR
5 7(e)(3), her response brief is only nineteen pages, *see* Dkt. # 35, which is well within the twenty-
6 four-page limit for hand-written or typewritten opposition briefs, *see* LCR 7(e)(3).

7 Plaintiff’s counsel is reminded of her obligation to include a certification as to the
8 number of words in her signature block in any brief where word limits apply, *see* LCR 7(e)(6)
9 (“When word limits apply, the signature block shall include the certification of the signer as to
10 the number of words, substantially as follows: ‘I certify that this memorandum contains _____
11 words, in compliance with the Local Civil Rules.’”). However, her submitted opposition brief
12 appears to be within the word limits set by the Local Rules and thus does not require the Court’s
13 approval to be filed as an overlength brief.

14 For all the foregoing reasons, plaintiff’s motion to file an overlength brief is DISMISSED
15 AS MOOT.

16 IT IS SO ORDERED.

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18 DATED this 25th day of August, 2023.

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21 Robert S. Lasnik
22 United States District Judge
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